

Docket No. 138002900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Beck et al.

Serial No. : 09/902,845

Cnfrm. No. : 9511

Filed : July 11, 2001

For : NOVEL 4-PHENYL SUBSTITUTED
TETRAHYDROISOQUINOLINES
THERAPEUTIC USE THEREOF

Examiner:
To Be Assigned

Art Unit:
1614

REVOCATION AND POWER OF ATTORNEY

U.S. Patent and Trademark Office
Box 2327
Arlington, Virginia 22202
Box:

Dear Sir:

The undersigned assignee of the entire interest in the above-identified application for Letters Patent, **Albany Molecular Research, Inc.**, hereby revokes all previous powers of attorney in the subject application and hereby appoints Michael L. Goldman, Registration No. 30,727; Joseph M. Noto, Registration No. 32,163; Gunnar G. Leinberg, Registration No. 35,584; Edwin V. Merkel, Registration No. 40,087; Georgia Evans, Registration No. 44,597; Alice Y. Choi, Registration No. 45,758; Andrew K. Gonsalves, Registration No. 48,145; Noreen L. Connolly, Registration No. 48,987; and John Campa, Registration No. 49,014 all with a mailing address of Nixon Peabody LLP, Clinton Square, P.O. Box 31051, Rochester, New York 14603, telephone number (585) 263-1000, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

The undersigned assignee of the right, title and interest of the above-identified application, hereby confirms that an assignment from the inventors to DuPont

Pharmaceuticals Company for the subject application (copy enclosed) was filed in the U.S. Patent and Trademark Office on November 2, 2001. A Change of Name Recordation from DuPont Pharmaceuticals Company to Bristol-Myers Squibb Pharma Company (copy enclosed) was filed on January 8, 2002. An assignment from Bristol-Meyers Squibb Pharma Company to Albany Molecular Research, Inc. (copy enclosed) was filed with the U.S. Patent and Trademark Office on May 16, 2002.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified below.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all future communications relative to said application to the following correspondence address:

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (585) 263-1304
Facsimile: (585) 263-1600

Respectfully submitted,

ALBANY MOLECULAR RESEARCH, INC.

Dated: May 20, 2002

By: Lawrence C. Jones
Lawrence C. Jones, Ph.D.

Albany Molecular Research, Inc.
21 Corporate Circle
P.O. Box 15098
Albany, New York 12212-5098
Telephone: (518) 464-0279
Facsimile: (518) 464-0289

PATENTS ONLY

To the Honorable Commissioner

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **40.00**

Complete If Known

Application Number	09/902,845
Filing Date	July 11, 2001
First Named Inventor	Beck
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	PH-7222

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JUN 05 2002
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METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																																																		
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: <input checked="" type="checkbox"/> Deposit Account Number 023850 <input checked="" type="checkbox"/> Deposit Account Name Bristol-Myers Squibb Pharma Company <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					3. ADDITIONAL FEES <table border="1" style="width:100%"> <thead> <tr> <th>Large Fee Code</th> <th>Entity (\$)</th> <th>Small Fee Code</th> <th>Entity (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Kalim S. Fuzail	Registration No. Attorney/Agent	45,805	Telephone	(302) 992-3215
Signature				Date	11-2-01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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Case No.: PH-7222

Application No.: 09/902,945

Mailing Date: 11-2-01

Due Date: _____

Express Mail No.: _____

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

- ☐ Amendment/Response/Letter - Fee \$ _____
- ☐ Appln. Filing Papers - Fee \$ _____
- ☐ Non-provisional
- ☐ Provisional Application
- ☐ CPA ☐ DIV ☐ CONT ☐ CIP
- ☐ Specification _____ Pg's
- ☒ Executed/Unexecuted Decl. - Fee \$ _____
- ☐ Missing Parts/Missing Req.
- ☐ Preliminary Amendment _____ Pg's
- ☐ Claim of Priority ☐ Certified Copy(s)
- ☐ Amendment After Final
- ☐ Notice of Appeal - Fee \$ _____
- ☐ Appeal Brief - Fee \$ _____
- ☐ Issue Fee Payment - \$ _____
- ☒ Assignment Rec. Req. - Fee \$ 40.00
- ☐ Formal Drawings _____ Pg's
- ☐ IDS _____ Pg's - Fee \$ _____
- ☐ PTO-1499 Form _____ Pg's
- ☐ Pet. for Ext. of Time - Fee \$ _____
- ☐ Seq. Listings _____ Pg's/Seq. Disk

BMS-PG 5035

Initials _____

PATENT APPLICATION ASSIGNMENT

We, the undersigned

Hereby declare that

We are the true and first inventors of an invention entitled Novel 4-Phenyl Substituted Tetrahydroisoquinolines Therapeutic Use Thereof (and which is identified as Case Number PH-7222) and which is disclosed in an application for Letters Patent in the United States of America.

For valuable consideration, the receipt and adequacy of which is hereby acknowledged and in fulfillment of our pre-existing obligation of assignment, we hereby:

I. Sell, assign, and transfer unto **DuPont Pharmaceuticals Company**, a General Partnership organized and existing under the laws of the State of Delaware in the United States of America and having its principal place of business at Chestnut Run Plaza, 974 Centre Road, Wilmington, Delaware 19805, hereinafter referred to as the assignee, (A). the sole and entire right, and interest in and to: (1) the aforesaid application for Letters Patent, (2) any priority rights derived from the aforesaid application for Letters Patent by virtue of intellectual property for any and all member countries of the aforesaid International Convention or other treaty or understanding, (3) any and all of our inventions, whether joint or sole, disclosed in the aforesaid application for Letters Patent, (4) any and all applications for Letters Patent for any such inventions in any country whatsoever, (5) any and all patents for any such inventions in any country whatsoever; and (B) the sole right to (1) file such applications in its name or ours, (2) file such applications under the aforesaid International Convention or other treaty or understanding, (3) have said patents granted in its name or ours, and (4) enforce said patents and to sue for and recover profits and damages for any and all infringements thereof whether past or future; and

II. Agree, whenever requested, to communicate to said assignee, its successors, assigns, and legal representatives, any facts known to us respecting said rights, to testify in any legal proceeding respecting said rights, to execute all applications, papers or instruments necessary or required by said assignee, its successors, assigns and legal representatives, to carry into effect any of the provisions of this instrument, and generally to do everything possible to aid said assignee, its successors, assigns, and legal representatives to obtain and enforce proper patent protection for said inventions in any and all countries.

We further authorize our attorney/patent agent to insert below* the application number and filing date of the aforesaid United States application now identified as Case Number. After the same shall have been made known to him/her by the United States Patent Office.

Date: 9/14/01
James C. Beck (L.S.)
James P. Beck

Date: 9/25/01
Anthony D. Pechulis (L.S.)
Anthony D. Pechulis

Date: 9 Oct 01
Arthur E. Harms (L.S.)
Arthur E. Harms

*The application referred to above (Case No. PH-7222) was filed in the United States Patent Office on July 11, 2001, and was given Application No. 09/902,845.

This insertion made by me this 2nd day of December, 2001.

Kalim S. Fuzail
Kalim S. Fuzail, Attorney for Applicant



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JUN 13 2002
TECHNICAL CENTER 1600/2900

Form PTO-1595a (Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET
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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Tab settings ⇌ ⇌ ⇌

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

DuPont Pharmaceuticals Company

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☒ Change of Name
☐ Other _____

Execution Date: 10/01/2001

2. Name and address of receiving party(ies)

Name: Bristol-Myers Squibb Pharma Company

Internal Address: Patent Department

Street Address: P.O. Box 4000

City: Princeton State: NJ Zip: 08543-4000

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) _____
See Schedule B attached

B. Patent No.(s) _____
See Schedule A attached

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Denise Bierlein

Internal Address: E353/133F

Experimental Station

Street Address: Route 141 & Henry Clay Road

City: Wilmington State: DE Zip: 19880-0353

6. Total number of applications and patents involved: 614

7. Total fee (37 CFR 3.41).....\$ 24,560.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

023850

DO NOT USE THIS SPACE

9. Signature.

Denise M. Bierlein

Name of Person Signing

Denise M. Bierlein

Signature

January 8, 2002

Date

Total number of pages including cover sheet, attachments, and documents: 17

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PATENT
JUN 05 2002
TECH CENTER 1600/2900

CHANGE OF NAME IN RECORDED ASSIGNMENTS

1. Particulars of assignments

A list of the patent applications and patents for which the change of name in the recorded assignment is requested is set forth in Schedule A (granted patents) and Schedule B (pending patent applications) attached hereto.

2. Old name of assignee

The old name of the assignee shown on the above-referenced assignments is DuPont Pharmaceuticals Company.

3. New name and address of assignee

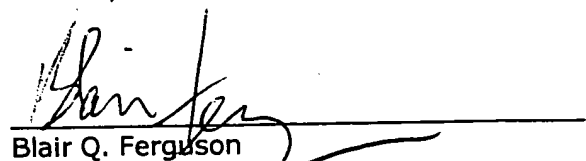
The new name of the assignee is Bristol-Myers Squibb Pharma Company located at the following address: Patent Department, P.O. Box 4000, Princeton, NJ 08543-4000.

4. Proof of change of name

Proof of change of name is established by the attached certificate of name change from the following authority: Supplemental Certificate - New Castle County, Delaware

5. Payment of fee

Please refer to the RECORDATION FORM COVER SHEET, to which this paper is attached.


Blair Q. Ferguson
Reg. No. 34,329
Counsel, Intellectual Property
Experimental Station, E353/133C
Route 141 and Henry Clay Road
Wilmington, DE 19880-0353
Phone: 302/695-3902

SUPPLEMENTAL CERTIFICATE

NEW CASTLE COUNTY
REGISTRATION OF TRADE NAMES
PARTNERSHIPS & ASSOCIATIONS

6 Del C. Ch. 31

TRADE NAME: Bristol-Myers Squibb Pharma Company (Original File No. 25757.0)

Business Address: 203 Longmeadow Drive, Wilmington, DE 19810

Telephone Number: _____

Title of Person, Firm or Association: Bristol-Myers Squibb Pharma Company

Names and addresses of all owners, members, or partners comprising the firm:

LAST NAME	FIRST NAME	ADDRESS
E.R. Squibb & Sons, L.L.C.		345 Park Ave., New York, NY 10154
Bristol-Myers Squibb Pharma Holding Company, LLC		345 Park Ave., New York, NY 10154
_____	_____	_____
_____	_____	_____

Date of ^{change} formation: October 2, 2001

Nature of ^{change} Business: Title of partnership has changed from "DuPont

Pharmaceutical Company" to "Bristol-Myers Squibb Pharma Company" and
partners have changed from E.I. du Pont de Nemours and Company and
STATE OF DELAWARE Pharma, Inc. to E.R. Squibb & Sons, L.L.C. and
NEW CASTLE COUNTY Bristol-Myers Squibb Pharma Holding Company, LLC

BEFORE ME, the subscriber, a Notary Public of the State of Delaware, personally appeared Sandra Leung, Secretary of Bristol-Myers Squibb Pharma Company, a principal in the business described in the foregoing Certificate, who, having first been sworn by me according to law did depose and say as follows:

1. He/She is a principal in the business described in the foregoing certificate.

2. That the foregoing information provided in the foregoing certificate is true, correct, and complete.

[Signature]
 Affiant

SWORN AND SUBSCRIBED this 2nd day of October, 2001.

[Signature]
 NOTARY PUBLIC

MAUREEN A. ROOS
 Notary Public, State of New York
 No. 01RO4826850
 Qualified in Queens County
 Commission Expires December 31, 2002

REV: 2/90

CERTIFIED AS A TRUE COPY.
 ATTEST: SHARON AGNEW
 PROTHONOTARY

[Signature]

[illegible]



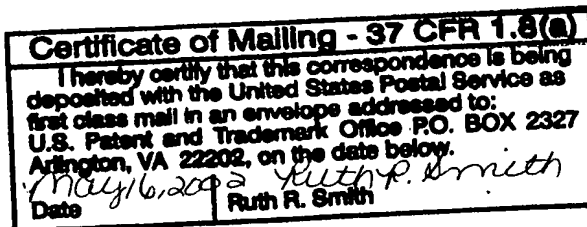
RECORDATION FORM COVER SHEET
PATENTS ONLY

RECEIVED
JUN 05 2002
TECH CENTER 1600/4900

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof:

<p>1. Name of conveying party(ies):</p> <p>Bristol-Myers Squibb Pharma Company</p>	<p>2. Name and address of receiving party(ies):</p> <p>Albany Molecular Research, Inc. 21 Corporate Circle Albany, New York 12203-5154</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: _____</p> <p>Execution Date(s): March 15, 2002</p> <p>1st (sole) Inventor: 2nd Inventor: 3rd Inventor: 4th Inventor:</p>	
<p>4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are):</p> <p>1st (sole) Inventor: 2nd Inventor: 3rd Inventor: 4th Inventor:</p> <p>A. Patent Application No.(s): 09/902,845</p> <p>B. Patent No.(s):</p>	

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Michael L. Goldman NIXON PEABODY LLP Clinton Square P.O. Box 31051 Rochester, New York 14603-1051</p>	<p>6. Total number of applications and patents involved: 1</p>
	<p>7. Total fee (37 CFR 3.41): \$40.00</p> <p><input type="checkbox"/> Previously paid (see original transmittal)</p> <p><input checked="" type="checkbox"/> A check in the amount of \$40.00 is enclosed.</p>
	<p>8. Deposit Account Number: 14-1138</p> <p><input type="checkbox"/> Charge total fee to account.</p> <p><input checked="" type="checkbox"/> Charge any additional fees to account.</p>
<p>DO NOT USE THIS SPACE</p>	
<p>9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</p> <p>Date: <u>May 16, 2002</u></p> <p><u>Georgia Evans</u> Georgia Evans Registration No. 44,597</p> <p style="text-align: right;">[Total number of pages including cover sheet, attachments and document: 5]</p>	



ATTACHMENT C

PATENT ASSIGNMENT

WHEREAS, Bristol-Myers Squibb Pharma Company, a Delaware general partnership ("Assignor"), with its principal place of business at Route 141 and Henry Clay Road, Wilmington, Delaware 19880, U.S.A. is the owner of rights in the patent applications set forth on the attached Schedule 1, and the inventions disclosed and claimed therein (collectively, the "Patent Applications"); and

WHEREAS, Albany Molecular Research, Inc., a Delaware corporation ("Assignee"), with its principal place of business at 21 Corporate Circle, Albany, NY 12203-5154, U.S.A., desires to acquire the entire right, title, and interest in and to the Patent Applications;

WHEREAS, Assignor and Assignee are parties to a certain License Agreement, entered into as of the date of this assignment (the "License Agreement"), pursuant to which Assignor has agreed to assign to Assignee the Patent Applications;

NOW, THEREFORE, for good and valuable consideration, Assignor hereby sells, transfers, assigns, conveys, delivers, and sets over, and by these presents does hereby sell, transfer, assign, convey, deliver, and set over to said Assignee, the entire right, title and interest in and to said Patent Applications and all corresponding rights of priority under the International Convention for the Protection of Industrial Property, the Inter-American Convention Relating to Patent Applications, Designs and Industrial Models, and any other international agreements to which the United States adheres, the same to be held and enjoyed by said Assignee, its successors, assigns, nominees or legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor had this assignment, sale and transfer not been made;

AND ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to issue patents on the Patent Applications to issue to said Assignee, as assignee of the entire right, title and interest, any and all such patents.

ASSIGNOR hereby agrees to execute any papers and to perform such other proper acts as Assignee or its successors or assigns may deem reasonably necessary to secure to Assignee or to its successors or assigns, the rights hereby transferred.

WHEREFORE, Assignor has caused this Patent Assignment to be duly executed below, on the date indicated, by its duly authorized officer.

ASSIGNOR:

Bristol-Myers Squibb Pharma Company

By: *[Signature]*

Title: *Secretary*

Date: *3/15/02*

Acknowledged and
Accepted:

ASSIGNEE:

Albany Molecular Research, Inc.

By: *Thomas D'Ambra*

Name: *Thomas D'Ambra*

Title: *CEO*

3/15/02

SCHEDULE 1

Patent Application No.	Country	Filing Date	BMS Docket No.
60/163,270	U.S.	11/3/99	PH-7032-P1
09/704,306	U.S.	11/2/00	PH-7032/U.S.
US00/30328	PCT	11/3/00	PH-7032/PCT
60/163,269	U.S.	11/3/99	PH-7142-P1
09/704,305	U.S.	11/2/00	PH-7142/U.S.
US00/30329	PCT	11/3/00	PH-7142/PCT
60/217,412	U.S.	7/11/00	PH-7222-P1
09/902,845	U.S.	7/11/01	PH-7222/U.S.
US01/21818	PCT	7/11/01	PH-7222/PCT